

975

When recorded mail to:

City Clerk's Office
City of Riverside
City Hall, 3711 Orange
Riverside, Calif. 92501

No Fee - 6103 Government Code

RECEIVED FOR RECORD

JAN 8 1975

4.5 Min. Past 2 o'clock P.M.
At Request of
City of Riverside
Book 1975, Page 975

Recorded in Official Records
of Riverside County, California

W.H. DeLoach Recorder
FEES \$

INDEXED

8317

EASEMENT

FROM

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

TO

CITY OF RIVERSIDE

Covering certain real property
situate in the City of Riverside,
County of Riverside, State of
California

Dated July 29, 1974

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EASEMENT, Made this 29th day of July,
1974, from THE ATCHISON, TOPEKA AND SANTA
FE RAILWAY COMPANY, a Delaware corporation,
hereinafter called "Santa Fe," first party,
TO CITY OF RIVERSIDE, a California municipal
corporation, hereinafter called "City," second
party.

IN CONSIDERATION of the sum of One Hundred Fifty Dollars
(\$150), lawful money of the United States of America, and of other
good and valuable consideration, the receipt whereof is hereby ac-
knowledged, Santa Fe hereby grants to City an easement for public
street purposes upon, over and across two parcels of land in the
City of Riverside, County of Riverside, State of California, being
a portion of The Atchison, Topeka and Santa Fe Railway Company's
100 foot wide right of way, as described in deed dated September 6,
1886, to the Riverside, Santa Ana and Los Angeles Railroad Company
(predecessor in interest to first said Railway Company) from The
Riverside Land Company, recorded July 9, 1887, in Book No. 63 of
Deeds, page 111, Records of San Bernardino County, being more
particularly described as follows:

PARCEL 1

That portion of Lot 1 in Block 52 of The Lands of
The Riverside Land and Irrigating Company, as
shown by map entitled "Map of Subdivision of Blocks
52, 53, 55 and 56, not recorded on the maps of The
Riverside Land and Irrigating Company" recorded in

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Book 1 of Maps, page 44, records of Riverside County, described as follows:

Beginning at the intersection of the southwesterly line of Buchanan Street (80.0 feet wide) with the southeasterly line of said 100 foot wide right of way; thence South 67°48'00" West (bearing assumed for purpose of this description) along said southeasterly line 4.08 feet to a point in a line that is parallel with and distant 44.00 feet southwesterly, measured at right angle to the center line of Buchanan Street; thence North 33°46'00" West, along said parallel line 102.07 feet to a point in the northwesterly line of said 100 foot wide right of way; thence North 67°48'00" East along said northwesterly line 4.08 feet to said southwesterly line of Buchanan Street; thence South 33°46'00" East along said southwesterly line 102.07 feet to the point of beginning.

Containing an area of 0.009 of an acre.

PARCEL 2

That portion of Lot 4 in Block 51 of The Lands of The Riverside Land and Irrigating Company as shown by map on file in Book 1 of Maps, page 70, records of San Bernardino County described as follows:

Beginning at the intersection of the northeasterly line of Buchanan Street (80.0 feet wide) with the southeasterly line of said 100 foot wide right of way; thence North 67°48'00" East along said southeasterly line 4.08 feet to a point in a line that is parallel with and distant 44.00 feet northeasterly, measured at right angle to the center line of Buchanan Street; thence North 33°46'00" West along said parallel line, 102.07 feet to a point in the northwesterly line of said 100 foot wide right of way; thence South 67°48'00" West along said northwesterly line 4.08 feet to said northeasterly line of Buchanan Street; thence South 33°46'00" East along said northeasterly line 102.07 feet to the point of beginning.

Containing an area of 0.009 of an acre.

EXCEPTING AND RESERVING the right to be exercised by Santa Fe, and by any others who have obtained, or may obtain, permission

DESCRIPTION APPROVAL
By *[Signature]*
Surveyor

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or authority from Santa Fe so to do, (a) to operate, maintain, renew and/or relocate any and all existing railroad track or tracks, wires, pipes and other facilities of like character upon, over or under the surface of the hereinabove described premises; and (b) from time to time to construct, operate, maintain, renew and/or relocate upon said premises additional facilities of the character described in Clause (a) of this paragraph, consistent with the rights granted herein, without in any instance being required to obtain the consent of the City the same as if this easement had not been executed.

TO HAVE AND TO HOLD said easement unto the City solely for public street purposes so long as the premises hereinabove described shall be so used, subject, however, to all licenses, leases, easements, restrictions, reservations, conditions, covenants, encumbrances, rights and rights of way, liens and claims of title which may in any wise affect the said premises and subject, also, to the express condition subsequent that if said premises, or any portion thereof, shall cease to be used for the purposes above stated, then, and in that event, the easement hereby given shall, as to such portion, or portions, as the case may be, thereupon cease and determine and Santa Fe, its successors and assigns, shall resume possession thereof the same as though this instrument had not been executed.

This instrument is given without warranty of title of any kind, express or implied, and no covenant of warranty of title shall be implied from the use of any word or words herein contained.

In case of the eviction of City by anyone owning, or

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claiming title to or any interest in the premises hereinabove described, Santa Fe shall not be liable to City for any damage of any nature whatsoever.

IN WITNESS WHEREOF, Santa Fe has duly executed this Easement the day and year first above written.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

By [Signature]
Its Vice President

ATTEST:

By M. W. Lloyd
Its Assistant Secretary

APPROVED AS TO FORM
[Signature]
CITY ATTORNEY

CONSENT TO RECORDATION

THIS IS TO CERTIFY that the interest in real property conveyed by the Deed or Grant dated July 29, 1974 from Atchison, Topeka & Santa Fe Railway Company for That por. Lot 1, Blk. 52 LRLIC, map "Map of Subdivision of Blocks 52, 53, 55 & 56, Bk. 1, P. 44, Riv. to the City of Riverside, a Municipal Corporation, is hereby accepted for and on behalf of said City pursuant to Resolution of the City Council thereof recorded on 12-29-66 by Inst. No. 123460, Riverside County Records, and the Grantee hereby consents to recordation of this instrument through the undersigned.

Dated 1-3-75 [Signature]
Property Services Manager

Form No. 122-9R1

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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

On this 17th day of August, in the
year one thousand nine hundred and seventy-~~four~~, before me,
T. J. FEENEY, a Notary Public in and for said

County of Cook, State of Illinois, personally appeared
JOHN C. DAVIS, known to me to be the Vice President
of the corporation that executed the within and foregoing
instrument, and known to me to be one of the persons who
executed the said instrument on behalf of the corporation
therein named, and acknowledged to me that such corporation
executed the within instrument pursuant to its by-laws or a
resolution of its Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal in said County the day and year in
this certificate first above written.

T. J. Feeney
Notary Public in and for said
County of Cook
State of Illinois

(SEAL)

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STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES)

On this 18th day of November, in the year one thousand nine hundred and seventy-~~seven~~, before me, Harold D. Smith, a Notary Public in and for said County of Los Angeles, State of California, personally appeared M. W. Lloyd, known to me to be the Assistant Secretary of the corporation that executed the within and foregoing instrument, and known to me to be one of the persons who executed the said instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in said County the day and year in this certificate first above written.

Harold D. Smith
Notary Public in and for said
County of Los Angeles
State of California



(SEAL)